

In The Circuit Court For Houston County Al.

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Jarris Palmore,
Plaintiff,

- v -

DEPARTMENT OF
U.S. DISTRICT COURT
NORTHERN DISTRICT
OF ALABAMA

Civil action No.

Martin Adams,
Thomas Steensland III
Gudy Byrd
Commander William McCarthy

all of the defendants are sued in
their official and personal
Capacity.

1983 Civil Action Complaint

Comes now the plaintiff in the above style cause and ask this honorable Court to grant the relief sought in this complaint for the following reasons to wit: These are United States Constitutional issues which give this honorable court jurisdiction.

Summary of Facts

Plaintiff contends that on 1-12-06 he was schedule to have a suppression hearing before judge Anderson. Plaintiff contends that he filed and prepared his motion to suppress Pro- & even though he had appointed counsel. on 1-12-06 Plaintiff was taken to the Court-room of judge Anderson, upon arrival there Plaintiff two attorneys ran up to him and said that they had a deal that he could not refuse. That if he pleaded guilty to a misdemeanor Poss of mari. II

that he would be given time served and released. At the time Plaintiff had been locked up over 9 months, and was charged with felony Poss of Controlled substance + mari II Poss.

Plaintiff have no doubt that the suppression hearing would have been a success, the only reason that he plead guilty was the promise of being released soon. On 1-12-06 Plaintiff Plead guilty to Poss of mari II upon the advice and promise of his attorney that he would be released. Judge Anderson then sentenced Plaintiff to 9 months time served with fines and court cost to pay. Plaintiff contends that as of 1-23-06 he is still incarcerated in the Houston County jail, that this was the only case that the Plaintiff had.

Why he is still locked-up he can't explain, he have wrote letters to his lawyers and the Circuit Clerk Judge Byrd who handles the paperwork. Plaintiff contends neither one of the people has bother to write him back, when I write request to docket they tell me that the Paper work has not arrived. It has been over 10 days since Plaintiff was due to be released.

Conclusion

Plaintiff contends that had his lawyer not ran to him with this deal that he couldn't refuse he never would have plead guilty. The search was illegal and the evidence had to be suppressed.

I think it evident by the prosecutor's dropping the felony to a Misdemeanor, the record will reflect as much. The judge sentenced Plaintiff to 9 mo's time served. Plaintiff was arrested on april 4, 05, that's the reason for the 9 mo's because when plaintiff plead on 1-12-06 that's just over 9 mo's and he was to be released.

Plaintiff contends that he has written the prosecutor also in this case David Atwell to no avail. The Circuit Clerk Gudy Byrd is responsible for the paper work getting to the jail so that inmates can be released on time, not 10 days later, or when ever she feels like it.

The Commander William McElarthy is over the prisoner at the Houston County jail, I have written grievances and request asking about my release no one is responding at all it's like a conspiracy to keep Plaintiff falsely imprisoned. I have no time and should not be locked-up. My lawyer by not trying to rectify this matter makes them apart of this conspiracy, this was their deal and they should have saw it through, therefore! they should be held accountable for the false imprisonment, Cruel & unusual punishment, Violation of due-process and no equal Protection of the law Violations of their Client.

Respectfully Submitted
Farris Palmer

1-23-06

Relief Sought

Plaintiff contends that he would like to be released immediately and from each and every one of the defendants he request \$1000 a day for each and everyday that he's incarcerated past 1-12-06 for punitive damages of Pain and suffering, mental ~~of~~ anguish.

Plaintiff contends that he's also entitled to compensatory damages to the sum of \$500 dollars a weeks earning compacity that he has tossed in behind this false imprisonment and any other relief this Court deems necessary to deture this unjustified behavior.

Farris Palmore

Penalty of Perjury

I Farris Palmore hereby swear under the penalty of perjury that the foregoing information is true and correct and that any false statement could subject me to prosecution under the penalty of Perjury.

1-23-06
Date

Farris Palmore

Addresses

1. Martin Adams + Thomas Steensland III 739 W. Main St. Dothan, Al. 36301
2. Commander William McBarthy 901 E. Main St. Dothan, Al. 36301
3. Circuit Clerk
Gudy Byrd P.O. Box 4406 Dothan, Al 36301